

REMARKS

Claims 5, 18, 23, 28 and 33 are pending in the application, with claim 5 being independent. By this amendment, claims 5 and 18 have been amended and claims 6, 19, 24, 29 and 34 have been canceled. Support for the amendment to claim 5 may be found in the application at, for example, Fig. 3 and page 3, lines 15-26. No new matter has been introduced.

Claims 5, 18 and 23 have been rejected as being unpatentable over Sato (JP 7-142169) in view of Kobori (U.S. Patent No. 6,285,039). Applicant requests reconsideration and withdrawal of this rejection at least because neither Sato, Kobori, nor any proper combination of the two describes or suggests an arrangement in which a red luminous layer is formed over and in contact with a blue luminous layer, and in which a green luminous layer is formed over the red luminous layer, as now recited in claim 5.

By contrast, instead of the recited stacked arrangement of a green layer over a red layer over and in contact with a blue layer, Sato, as set forth in the rejection, describes an arrangement in which a red layer (5f) is formed within a green layer (5g and 5e) that is formed on a blue layer 4. Thus, Sato, in particular, does not describe or suggest a red layer over and in contact with a blue layer, as recited in claim 5. Kobori, which is cited as showing that layers may be deposited from cathode to anode instead of anode to cathode, does not remedy this failure of Sato. Accordingly, for at least this reason, the rejection should be withdrawn.

Claim 28 has been rejected as being unpatentable over Sato in view of Kobori and Singh (U.S. Patent No. 6,228,228); and claim 33 has been rejected as being unpatentable over Sato in view of Kobori and Yamada (U.S. Patent No. 6,215,462). Applicant requests reconsideration and withdrawal of this rejection because neither Singh nor Yamada remedies the failure of Sato and Kobori to describe or suggest the subject matter of claim 5.

Applicant submits that all claims are in condition for allowance.

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Serial No. : 09/852,090  
Filed : May 10, 2001  
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Attorney's Docket No.: 12732-037001 / US4920

The fee in the amount of \$1,020 for the third month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



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Date: June 27, 2006

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